

10-20-1999

Docket No.:

014951/0166

Tab settings → → →

10-15-99



101175018

To the Honorable Commissioner of Patents and Trademarks, please return the attached original documents or copy thereof.

1. Name of conveying party(ies):

BIOPLEXUS CORPORATION



Name and address of receiving party(ies):

name: **ABLECO FINANCE LLC, as Agent**

10-15-1999

U.S. Patent & TMO/TM Mail Rpt Dt. #26

Internal Address:

Street Address: **450 PARK AVENUE**

City: **NEW YORK** State: **NY** ZIP: **10022**

☐ Individual(s) citizenship

☐ Association

☐ General Partnership

☐ Limited Partnership

☐ Corporation-State

☒ Other **DELAWARE LIMITED LIABILITY COMPANY**

If assignee is not domiciled in the United States, a domestic designation is ☐ Yes ☐ N

(Designations must be a separate document from

Additional name(s) & address(es) ☐ Yes ☐ N

☐ Individual(s)

☐ General Partnership

☒ Corporation-State **NEVADA**

☐ Other

Additional names(s) of conveying party(ies)

☐ Yes ☒ No

☐ Association

☐ Limited Partnership

3. Nature of conveyance:

☐ Assignment

☒ Security Agreement

☐ Other

☐ Merger

☐ Change of Name

Execution Date: **09/01/1999**

4. Application number(s) or registration numbers(s):

A. Trademark Application No.(s)

**SEE
ATTACHED
SCHEDULE**

B. Trademark Registration No.(s)

NONE

Additional numbers

☒ Yes ☐ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: **JOSHUA R. BRESSLER**

Internal Address: **SCHULTE ROTH & ZABEL LLP**

Street Address: **900 THIRD AVENUE**

City: **NEW YORK**

State: **NY** ZIP: **10022**

6. Total number of applications and registrations involved: **1**

7. Total fee (37 CFR 3.41): \$ **\$40.00**

☐ Enclosed

☒ Authorized to be charged to deposit account

8. Deposit account number:

SCHULTE ROTH & ZABEL LLP - 500675

10/20/1999 MTRH11 00000002 500675 75453730

01 FC:401 40.00 CH

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

JOSHUA R. BRESSLER

Name of Person Signing

Signature

OCTOBER 14, 1999

Date

Total number of pages including cover sheet, attachments, and

6

TRADEMARK

REEL: 001976 FRAME: 0703

BIOPLEXUS CORPORATION

TRADEMARK	REG. NO. (SERIAL NO.)
SEPTUM	(75/453,730)
BIOPLEXUS	(75/005,697)
BIOSIL	(75/005,698)
BIOSIL	(74/487,792)
BIOPLEXUS	(74/487,791)

ASSIGNMENT FOR SECURITY(TRADEMARKS)

WHEREAS, BIOPLEXUS CORPORATION (the "Assignor") has adopted, used and is using the trademarks and service marks listed on the annexed Schedule 1A, which trademarks and service marks are registered or applied for in the United States Patent and Trademark Office (the "Trademarks");

WHEREAS, the Assignor has entered into a Security Agreement, dated as of September 1, 1999 (as amended, restated, supplemented or otherwise modified from time to time, the "Security Agreement"), in favor of ABLECO FINANCE LLC, as Administrative Agent on behalf of the Lenders (as defined in the Security Agreement) (the "Assignee");

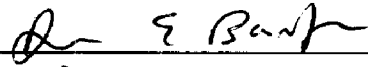
WHEREAS, pursuant to the Security Agreement, the Assignor has assigned to the Assignee and granted to the Assignee a security interest in all right, title and interest of the Assignor in, to and under the Trademarks together with the good-will of the business symbolized by the Trademarks and the applications and registrations thereof, and all proceeds thereof, including, without limitation, any and all causes of action which may exist by reason of past, present or future infringements and other violations thereof (the "Collateral"), to secure the payment, performance and observance of the Obligations (as defined in the Security Agreement);

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Assignor does hereby convey, sell, assign, transfer and set over unto the Assignee and grants to the Assignee a security interest in the Collateral to secure the prompt payment, performance and observance of the Obligations.

The Assignor does hereby further acknowledge and affirm that the rights and remedies of the Assignee with respect to the Collateral are more fully set forth in the Security Agreement, the terms and provisions of which are hereby incorporated herein by reference as if fully set forth herein.

IN WITNESS WHEREOF, the Assignor has caused this Assignment to be duly executed by its officer thereunto duly authorized as of September 1, 1999.

BIOPLEXUS CORPORATION

By: 
Name: DAVID G. BAMBERG
Title: SECRETARY

STATE OF NEW YORK

SS.:

COUNTY OF NEW YORK

On this 1 day of SEPTEMBER, 1999, before me personally came DAVID E. BAMBURGH to me known to be the person who executed the foregoing instrument, and who, being duly sworn by me, did depose and say that he is the SECRETARY of BIOPLEXUS CORPORATION, a NEVADA corporation, and that he executed the foregoing instrument in the firm name of such corporation, and that he had authority to sign the same, and he acknowledged to me that he executed the same as the act and deed of said firm for the uses and purposes therein mentioned.

Elaine Gerace

ELAINE GERACE
Notary Public, State of New York
No. 01GE4996717
Qualified in Queens County
Commission Expires May 18, 192000

SCHEDULE 1A TO ASSIGNMENT FOR SECURITY

(TRADEMARK REGISTRATIONS AND APPLICATIONS)

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MARK A. BROUDE
BROOKS R. BURDETTE
BRUCE S. CYBUL
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PAUL E. WEBER
MARC WEINGARTEN
ANDRE WEISS
WILLIAM D. ZABEL

WRITER'S DIRECT NUMBER:

(212) 756-2002

WRITER'S E-MAIL ADDRESS:

joshua.bressler@srz.com



10-15-1999

U.S. Patent & TMO/TM Mail Rcpt Dt. #26

October 15, 1999

BY HAND

Commissioner of Patents and Trademarks
Box Assignments
Washington, DC 20231

Re: Recordation of
Assignment for Security (Trademarks)
Our ref.: Ableco/Bioplexus Corporation - 014951/0166

Dear Sir or Madam:

Please record the above-referenced document against the U.S. trademark filings identified in the accompanying Document Cover Sheet.

We authorize the deduction from Schulte Roth & Zabel LLP's Deposit Account No. 500675 of \$40.00, plus any deficiencies therein, to cover recordation fees, and we enclose an extra copy of the Document Cover Sheet for this purpose.

We also enclose an additional copy of this letter, which we request that you date stamp and return to the person submitting the document so that we may have a record of your receipt of this filing.

Cordially,

Joshua R. Bressler

Enclosures

cc: Joanne Rosello

TRADEMARK FEE PROCESS.
RECEIVED
1999 OCT 15 P 3:31
US PATENT &
TRADEMARK OFFICE

SRZNYA632963v1

TRADEMARK
REEL: 001976 FRAME: 0708

BIOPLEXUS CORPORATION

TRADEMARK	REG. NO. (SERIAL NO.)
SEPTUM	(75/453,730)

BIOPLEXUS CORPORATION

TRADEMARK	REG. NO. (SERIAL NO.)
SEPTUM	(75/453,730)